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Fifty-seventh session
Items 36 and 78 of the provisional agenda*

Security Council
Fifty-seventh year

The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Letter dated 12 August 2002 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

Upon instructions from the Government of the Syrian Arab Republic, I have the honour to convey herewith information on the harsh and inhuman treatment by Israel of the students of the occupied Syrian Golan upon their return to join their families during the summer holiday (see annex).

It would be greatly appreciated if this letter and its annex were circulated as a document of the General Assembly, under items 36 and 78 of the provisional agenda, and of the Security Council.

(*Signed*) Mikhail **Wehbe**
Ambassador
Permanent Representative

* A/57/150.

02-51995 (E) 130802

Annex to the letter dated 12 August 2002 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

[Original: Arabic]

It has been customary in past years for students from the occupied Syrian Golan studying at the University of Damascus to return to spend the summer vacation with their families by way of the Quneitra crossing point. The first party of such students left on 26 June 2002, the second on 1 July 2002 and the third on 4 July 2002. We informed students from the occupied territory of the severe ill-treatment suffered by their colleagues in terms of abuse, searches and interrogation at the crossing point, together with beatings and physical violence.

One student in the first party, Ashraf Farhat (second year of medical studies) was beaten and interrogated, his clothes, photographs and personal possessions were burnt and he was detained for five hours.

In the second party, which left on 1 July 2002, a student named Atta Najib Farhat, Chairman of the Committee of Students from the Occupied Syrian Golan at Damascus University, was beaten and abused, his clothes and personal possessions were burnt and he was then arrested on suspicion of "consorting with the enemy". This student is still under arrest and in very poor condition. His family have been categorically forbidden to see him and his lawyer has not been allowed to meet him. At the present time we have no information on Israel's treatment of the students in the third party.

This inhumane and barbarous treatment of students from the occupied Syrian Golan by the Israeli occupying forces is contrary to the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War which has been declared by resolutions of the Security Council and of the General Assembly, in particular Security Council resolution 497 (1981), adopted on 17 December 1981, as well as all the relevant resolutions of the General Assembly, the most recent of which was resolution 56/63, adopted on 10 December 2001, to be applicable to the Syrian Golan.

The Syrian Arab Republic appeals to the Secretary-General of the United Nations, to the States parties to the Fourth Geneva Convention and to all States and organizations that uphold international humanitarian law and human rights to intervene to stop violations by Israel of the most elementary principles of international law and to secure the release of the Syrian Arab detainees in the occupied Syrian Golan, including the student Atta Najib Farhat.

United Nations A/57/298

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Fifty-seventh session
Item 50 of the provisional agenda*
Implementation of the resolutions of the United Nations

Letter dated 9 August 2002 from the Permanent Representative of China to the United Nations addressed to the Secretary-General

On 7 August 2002, the Gambia and a very few other countries addressed a letter (A/57/191) to you, requesting that a supplementary item, entitled "Question of the representation of the Republic of China (Taiwan) in the United Nations", be inscribed on the agenda of the fifty-seventh session of the General Assembly. Upon instruction of my Government, I hereby solemnly state our position, as follows:

1. By raising once again the so-called issue of "the representation of the Republic of China (Taiwan) in the United Nations" to the General Assembly this year, the above-mentioned countries are even more aggressively trying to create "two Chinas" or "one China, one Taiwan" in this Organization. Such an erroneous act is not only a flagrant violation of the purposes and principles of the Charter of the United Nations and a serious distortion of the nature of this Organization but also a brazen challenge to the one-China principle widely recognized by the international community. It has severely encroached upon China's sovereignty and territorial integrity and grossly interfered in China's internal affairs. The Chinese Government strongly condemns and firmly opposes it and requests these countries immediately to desist from engaging in any such illegal act that undermines China's sovereignty and territorial integrity.

2. There is but one China in the world and Taiwan has been a part of China's territory since antiquity. Both the 1943 Cairo Declaration and the 1945 Potsdam Proclamation have reaffirmed in unequivocal terms China's sovereignty over Taiwan as a matter of international law. To date, more than 160 countries in the world have diplomatic relations with China. They all recognize the one-China principle, which has become a historical trend that nobody and no force can resist. It is, therefore, an indisputable objective and legal fact, widely acknowledged by the international community, that: there is only one China in the world; Taiwan is an inseparable part of China's territory; and the Government of the People's Republic of China is the sole legal Government representing the whole of China.

* A/57/150.

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3. In 1971, at its twenty-sixth session, the General Assembly adopted, by an overwhelming majority, the historic resolution 2758 (XXVI), which has solved once and for all, in political, legal and procedural terms, the issue of China's representation in the United Nations. The resolution decides to restore all rights of the People's Republic of China at the United Nations and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel the "representatives of Chiang Kai-shek" from the place which they "unlawfully" occupied at the United Nations under the name of "the Republic of China". The essence of the resolution is the universally-recognized one-China principle. In disregard of facts, the aforementioned proposal alleges that resolution 2758 (XXVI) "did not decide that Taiwan is a part of the People's Republic of China". This is a wanton distortion of resolution 2758 (XXVI) and constitutes an open challenge to the one-China principle. It has once again revealed the sinister intention of the Taiwan authorities to split China. There is simply no such issue as the so-called "Taiwan's representation at the United Nations". It is the sole making of a tiny number of people who advocate "Taiwan independence". As of the day when the legitimate rights of the People's Republic of China were restored at the United Nations, the Government of the People's Republic of China has been stressing, and has taken every possible measure, to ensure that the entire Chinese people fully participate in and benefit from activities of the United Nations. This has naturally included our compatriots in Taiwan. The allegation that the people of Taiwan "have been deprived of their fundamental human rights to participate in United Nations work and activities" is totally untenable.

4. The United Nations is an intergovernmental organization composed of sovereign States. As a part of China, Taiwan is not eligible to participate, in whatever name and under whatever pretext, in the work or activities of the United Nations or its specialized agencies. The General Committees of the successive sessions of the General Assembly, since 1993, have all flatly refused to include in the agenda of the General Assembly the so-called issue of Taiwan's "participation" in the United Nations. This fully demonstrates that to raise, in whatever form, the so-called issue of Taiwan's "participation" in the United Nations will constitute a serious violation of the principle of not undermining the territorial integrity of any member State, as provided for in the Charter of the United Nations, and resolution 2758 (XXVI) of the General Assembly. By distorting resolution 2758 (XXVI) and confusing history, this year's proposal by a small number of countries is aimed at nothing but touting Chen Shui-bian's activities of advocating "Taiwan independence" and splitting China. Such perverse acts are doomed to failure as before.

5. The question of Taiwan is purely an internal matter of China and a question for the Chinese people themselves to solve. It brooks no interference from outside. No one in the world cares more about the future and interests of the 23 million Chinese compatriots in Taiwan than the Chinese Government and people. To realize reunification of the motherland, the late Chinese leader Deng Xiaoping came up with the creative concept of "peaceful reunification and one country, two systems", which has become a basic state policy of China. President Jiang Zemin has also put forward the "Eight-point Proposition on the Development of Cross-Straits Relations and the Promotion of the Peaceful Reunification of the Motherland". All these policies and propositions have taken into account the paramount interests of national development and the long-term interests of the entire Chinese population. They have

also fully accommodated and helped protect the fundamental interests of our compatriots in Taiwan and Taiwan's need for development. That is why they have been warmly embraced by all Chinese, including our compatriots in Taiwan, and well received by the whole international community. The smooth return of Hong Kong and Macao, successively, have testified to the great success of the policy of "one country, two systems". We firmly believe that on the basis of the policy of "peaceful reunification and one country, two systems", the question of Taiwan will eventually come to an appropriate solution.

6. To solve the question of Taiwan and realize the complete reunification of the motherland at an early date conforms not only to the fundamental interests but also to the common aspiration of the entire Chinese people, including our compatriots in Taiwan. The one-China principle provides the basis for the peaceful and stable development of relations between the two sides of the Taiwan Straits. The Chinese Government has consistently maintained its position that peaceful reunification of the motherland should be realized through equal dialogue between the two sides of the Taiwan Straits on the basis of the one-China principle. We are willing to enter into dialogue with all political parties, all organizations and people from all walks of life in Taiwan on the question of China's reunification so long as they advocate the one-China principle. It is absolutely possible to find, through consultation, ways to peacefully resolve the political differences between the two sides. We have to point out with regret, however, that the Taiwan authorities have, up until this day, refused to accept the one-China principle. What they have been doing instead is to set up obstacles to the economic, trade, cultural and personnel exchanges between the two sides of the Taiwan Straits and to adopt a series of despicable measures to pursue "incremental Taiwan independence". Recently, Chen Shui-bian has even gone so far as to publicly state that "there is one country on each side" and that "should the need arise", "the future, fate, and status of Taiwan" will be decided by "referendum". This has laid bare his true nature of stubbornly clinging to his "Taiwan independence" position. It is an open provocation against both the entire Chinese people, including our compatriots in Taiwan, and the universally recognized one-China principle. The separatist activities carried out by a small number of people calling for "Taiwan independence" have aggravated tension in the cross-Straits relations. They will not only seriously damage relations between the two sides of the Taiwan Straits but also undermine stability and peace in the Asia-Pacific region. The proposal submitted by the above-mentioned handful of countries will only serve to add fuel to the separatist moves of the Taiwan authorities, undermine the lofty cause of China's reunification and jeopardize peace and security in the Asia-Pacific region and the world at large. The Chinese Government firmly opposes any such act.

7. China attaches importance to its relations with all States Members of the United Nations and has always worked to develop friendly relations with all countries in the world on the basis of the principles of mutual respect for State sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit and peaceful coexistence. China has never done anything harmful to the interests of the above-mentioned small number of countries, but, time and again, what they have been doing regarding the question of Taiwan has undermined the fundamental national interests of China and hurt the feelings of the Chinese people. We hope that these countries will, in conformity with the trend of history, abide by the Charter of the United Nations, resolution 2758 (XXVI) and other relevant General Assembly resolutions, adopt the

position that is shared by the vast majority of United Nations Member States on this question, get a clear understanding of the separatist nature of the Taiwan authorities and avoid being deceived and taken advantage of again by the Taiwan authorities. We appreciate the position of the great number of United Nations Member States in upholding the one-China principle and opposing "Taiwan independence", "two Chinas", "one China, one Taiwan" and "Taiwan's participation" in international organizations composed solely of sovereign States. We have every reason to believe that, in our just cause of safeguarding State sovereignty and territorial integrity, the Chinese Government and people will be able to continue to count on the Governments and peoples of the great number of United Nations Member States for their understanding and support.

I have the honour to request that the present letter be circulated as a document of the fifty-seventh session of the General Assembly, under item 50 of its provisional agenda.

(*Signed*) **Wang** Yingfan
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the People's
Republic of China to the United Nations

United Nations A/57/299

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Fifty-seventh session
Item 25 of the provisional agenda*
Oceans and the law of the sea

Letter dated 12 August 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Honduras to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a copy of the communication dated 6 August 2002 from the Deputy Minister for Foreign Affairs, Mr. Aníbal Quiñónez (see annex), transmitting a protest note dated 30 July 2002 from the Minister for Foreign Affairs of Honduras, Mr. Guillermo Pérez-Cadalso Arias, addressed to the Government of Nicaragua concerning the publication by the Nicaraguan Energy Institute of a "Map of areas opened for oil exploration".

I should be grateful if you would have this letter and its annex circulated among the States Members of the United Nations as a General Assembly document, under item 25 of the provisional agenda, entitled "Oceans and the law of the sea".

(*Signed*) Marco Antonio **Suazo**
Ambassador
Deputy Permanent Representative
Chargé d'affaires a.i.

* A/57/150.

02-52198 (E) 140802 140802

Annex to the letter dated 12 August 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Honduras to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a protest note dated 30 July 2002 from the Minister for Foreign Affairs addressed to the Government of Nicaragua (see appendix) concerning the publication by the Nicaraguan Energy Institute of a "Map of areas opened for oil exploration". The map was published in connection with the announcement of tenders for oil exploration, to the detriment of Honduran maritime spaces in the territorial sea, the contiguous zone and the exclusive economic zone in the Pacific Ocean.

I hereby instruct you to transmit the protest note formally to the Secretary-General of the United Nations and to request him to circulate it among the Members of the United Nations.

(*Signed*) Aníbal E. **Quiñónez** A.
Deputy Minister for Foreign Affairs

Appendix

I have the honour to inform you that the Government of the Republic of Honduras protests in the strongest possible terms over the publication by the Nicaraguan Energy Institute of the "Map of areas opened for oil exploration". The map was published in connection with the announcement of tenders for oil exploration, to the detriment of Honduran maritime spaces in the territorial sea, the contiguous zone and the exclusive economic zone in the Pacific Ocean. Those maritime spaces have been recognized as inherent parts of the Republic of Honduras by virtue of its status as a coastal State of the Bay of Fonseca, under the Judgment of the International Court of Justice dated 11 September 1992 (Case concerning the land, island and maritime frontier dispute between Honduras and El Salvador, with Nicaragua intervening), which took into account the 1917 judgement of the Central American Court of Justice (Case of the Bryan-Chamorro Treaty, El Salvador vs. Nicaragua) and State practice.

My Government also issues a firm and emphatic protest over the unilateral attempt by Nicaragua to change the legal status of the waters of the Gulf of Fonseca, in violation of the objective legal regime established by the aforementioned Judgment of the International Court of Justice and by the 1917 judgement of the Central American Court of Justice.

My Government rejects the provocative claims by Nicaragua to Honduran maritime spaces in the Pacific Ocean for oil exploration and exploitation, or for any other activity coming within the exclusive State jurisdiction of the Republic of Honduras in such areas under international law.

My Government also rejects as contrary to international law — and, accordingly, as not invocable against Honduras — Nicaragua's unilateral claim for a change in the legal regime of co-ownership and co-sovereignty over the non-demarcated waters of the Gulf of Fonseca.

Lastly, the Government of Honduras reserves the right to take such legal actions and measures as it may deem appropriate and necessary to defend and safeguard its rights and interests in the Gulf of Fonseca and in its maritime spaces in the Pacific Ocean.

(*Signed*) Guillermo **Pérez-Cadalso Arias**
Minister for Foreign Affairs